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CHAMBERS OF
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December 27, 2007

BY HAND

Honorable Deborah A. Batts
United States District Judge
United States Courthouse, Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Okoroafor v. The City of New York 07-cv-09387 (DAB)

Your Honor:

As the Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to defend the above-referenced matter, I write to respectfully request that the Court grant defendant City of New York a sixty (60) day enlargement of time to and including February 27, 2008 in which to respond to the complaint.¹ Plaintiff's counsel, Mr. K.C. Okoli, consents to this request.

Granted
DAB
1/2/2008

Plaintiff brings this action pursuant to 42 U.S.C. §1983 alleging, *inter alia*, that on November 17, 2006, he was falsely arrested pursuant to a warrant that was issued for an unpaid ticket and subsequently detained for approximately two days. According to plaintiff's complaint, a judge vacated the warrant and released plaintiff on November 19, 2006. Based on the foregoing, it is necessary for defendant City of New York to acquire as much information as possible concerning this matter in order to properly assess the case and respond to the complaint. Currently, this office is in the process of forwarding to plaintiff for execution, a consent and authorization for the release of records sealed pursuant to New York Criminal Procedure Law § 160.50. Defendant cannot obtain these records without plaintiff's authorization, and without the records, defendant cannot properly assess this case or respond to the complaint.

¹ Upon information and belief, the individual identified in the caption of the complaint as "Police Officer Lonmor" has not been served with a copy of the summons and complaint. Without appearing on his behalf, it is respectfully requested that, in the event he was served, the same extension be granted to him in order to ensure that his defenses are not jeopardized while representation issues are being decided.

MEMO ENDORSED

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No previous request for an enlargement of time has been made. Accordingly, it is respectfully requested that defendants' time to respond to the complaint be extended to and including February 27, 2008.

I thank Your Honor for considering the within request.

Respectfully submitted,

Brooke R.

Brooke Birnbaum (BB 8338)
Assistant Corporation Counsel

cc: Mr. K.C. Okoli, Esq. (By Fax)

SO ORDERED

Deborah A. Batts

DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE 1/2/2008

MEMO ENDORSED

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